



4-1

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Planning Commission

MEETING DATE April 28, 2005 LOCAL EFFECTIVE DATE May 12, 2005 APPROX. FINAL EFFECTIVE DATE June 2, 2004	CONTACT/PHONE Kerry Brown 781-5713 Project Manger	APPLICANT Rotary Club of Los Osos / Bonaire Investments	FILE NO. DRC 2004-00148
SUBJECT Hearing to consider a request by the Rotary Club of Los Osos / Bonaire Investments for a Development Plan/Coastal Development to allow a modification of Title 23.04.306 (sign standards) to allow an illuminated community reader board sign (not to exceed 20 square feet). The project will result in the disturbance of approximately 12 square feet of a 3.23 acre parcel. An office complex is currently under construction at the project site. The proposed project is within the Office and Professional land use category and is located 1319 Los Osos Valley Road at the southwest corner of Los Osos Valley Road and South Bay Boulevard, in the community Los Osos, in the Estero planning area.			
RECOMMENDED ACTION Approve Development Plan / Coastal Development Permit DRC2004-00148 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued (pursuant to CEQA Guidelines Section 15303) on March 28, 2005.			
LAND USE CATEGORY Office Professional	COMBINING DESIGNATION Central Business District Local Coastal Plan	ASSESSOR PARCEL NUMBER 074-314-011	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: None <i>Does the project meet applicable Planning Area Standards: N/A</i>			
LAND USE ORDINANCE STANDARDS: Sign standards <i>Does the project conform to the Land Use Ordinance Standards: Yes</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calender day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

4-2

EXISTING USES: Office buildings are under construction	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Commercial Retail/retail <i>East:</i> Office Professional/residence <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/office and residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, California Department of Forestry, Los Osos Community Services District, Los Osos Community Advisory Council, and the California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Ornamental landscape; pigmy oaks
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: CDF/County Fire	ACCEPTANCE DATE: March 25, 2005

PROJECT HISTORY

Previous permits approved for this site include: a Development Plan to establish an office complex of approximately 31,000 square feet, currently under construction (D960312D); and a subdivision to establish an air space condominium complex over the office complex (S010281Q / CO 00-0089).

PROPOSED PROJECT

The Rotary Club of Los Osos is proposing an illuminated community reader board sign at the corner of the Los Osos Valley Road and South Bay Boulevard. The reader board will be electronically controlled by an in-sign computer and will display community-based information. For example, the sign would be used to display community information such as CSD Meetings, Soccer Sign Ups, Octoberfest, or Free Concerts.

PLANNING AREA STANDARDS:

No specific planning area standards apply to this project.

COMBINING DESIGNATIONS:

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

Section 23.07.104 - Archaeologically Sensitive Areas

The project is designated Archaeological Sensitive. Paleontological resources are known to exist in the area. (A Phase I (surface) survey, and Phase 2 evaluation was conducted (Bertrando & Bertrando, February and July 2003) for the commercial complex project approval. Evidence of cultural materials was noted on the property. A Phase 3 Data Recovery and Mitigation was conducted by Bertando & Bertrando Research Consultants, October 31, 2004 prior to construction of the commercial buildings. The proposed sign is within the limits of the previous archaeological studies and recovery work. The site of the proposed sign has previously been disturbed and minimal disturbance will be required for the installation of the sign. The project

has been conditioned cease construction if resources are unearthed and mitigate as required by the Environmental Coordinator.

LAND USE ORDINANCE STANDARDS:

Section 23.04.306 Sign Permit Requirements:

This Section of the Coastal Zone Land Use Ordinance (CZLUO) exempts certain types of signs from permit requirements. Reader board signs for community, charitable, or religious organizations are exempt provided that the signs do not exceed an area of 20 square feet per face and are not illuminated. The Rotary Club of Los Osos is proposing a community reader board sign of 20 square feet, however the sign is illuminated. Section 23.04.310 of Title 23 allows exceptions to sign standards with Development Plan approval. Staff supports this exception to the sign standards because the purpose of the sign is to provide information to the community and the Los Osos Community Advisory Council (LOCAC) supports the reader board sign. Staff is recommending that the messages conveyed be conditioned to not include any commercial, religious, or political messages.

COASTAL PLAN POLICIES:

The project is in compliance with the Coastal Plan Policies with the most relevant policies discussed below.

Visual and Scenic Resources

Policy 2: Site Selection for New Development. This policy states that new development shall be sited so as to protect views to and along the ocean and scenic coastal areas. The project is located in a coastal area and in the Central Business District of Los Osos. The project will not be sited to interrupt any views on or offshore or interfere with any scenic vista, therefore the project complies with this policy.

Cultural Resources

Policy 1: Protection of Archaeological Resources. This policy states that the county shall provide for the protection of both known and potential archaeological resources. A Phase I surface survey, and Phase 2 evaluation was conducted for the commercial complex project approval (Bertrando & Bertrando, February and July 2003). Evidence of cultural materials was noted on the property. A Phase 3 data recovery and mitigation was conducted by Bertando & Bertrando Research Consultants, October 31, 2004 prior to construction of the commercial buildings. The proposed sign is within the limits of the previous archaeological studies and recovery work. If any resources are unearthed during construction, all construction activities will cease to evaluate the resource and implement mitigation measures as required by the Environmental Coordinator.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned.

COMMUNITY ADVISORY GROUP COMMENTS:

The project was reviewed by the LOCAC, on January 27, 2005. LOCAC recommended approval of the project however they would like to see the base structure built to conform with the original simple design, provided by the applicant. The applicant has no preference for the base structure, however the current

4-4

Planning Commission

Development Plan/ Coastal Development Permit DRC2004-00008 - Bonaire Investments/ Sprint PCS

Page 4

design (with oak tree and bear cutouts) is the preference of the property owner.

AGENCY REVIEW

Public Works - "Recommend approval – as long as it is outside the road right-of-way we have no concerns with the project"

California Coastal Commission - No response

Staff report prepared by Kerry Brown and reviewed by Matt Janssen

4-5

EXHIBIT A - FINDINGS

Environmental Determination

- A. This project qualifies for a Class 3 Categorical Exemption (pursuant to CEQA Guidelines Section 15303) because the project is minor in nature, involves little site disturbance, and will not require the removal of any native vegetation.

Development Plan findings

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the sign does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the sign will not conflict with the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all existing roads providing access to the project, either existing or to be improved with the project because no additional traffic will be generated by the proposed use.

Coastal Access

- G. The project site is not located between the first public road and the ocean. The project site is located within an urban reserve line and an existing coastal access point exists within 1.5 miles of the project site, therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

Archaeology

- H. The proposed project design and development incorporates adequate measures to ensure protection of significant archaeological resources because a Phase 3 recovery was done and the project has been conditioned to cease construction and mitigate in the event archaeological resources are unearthed during construction.

4-6

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes a modification of Title 23.04.306 (Sign Standards) to allow an illuminated community reader board sign (not to exceed 20 square feet).

Site Development

2. Site Development shall be consistent with the approved site plan and elevations.

Criteria for Sign Messages

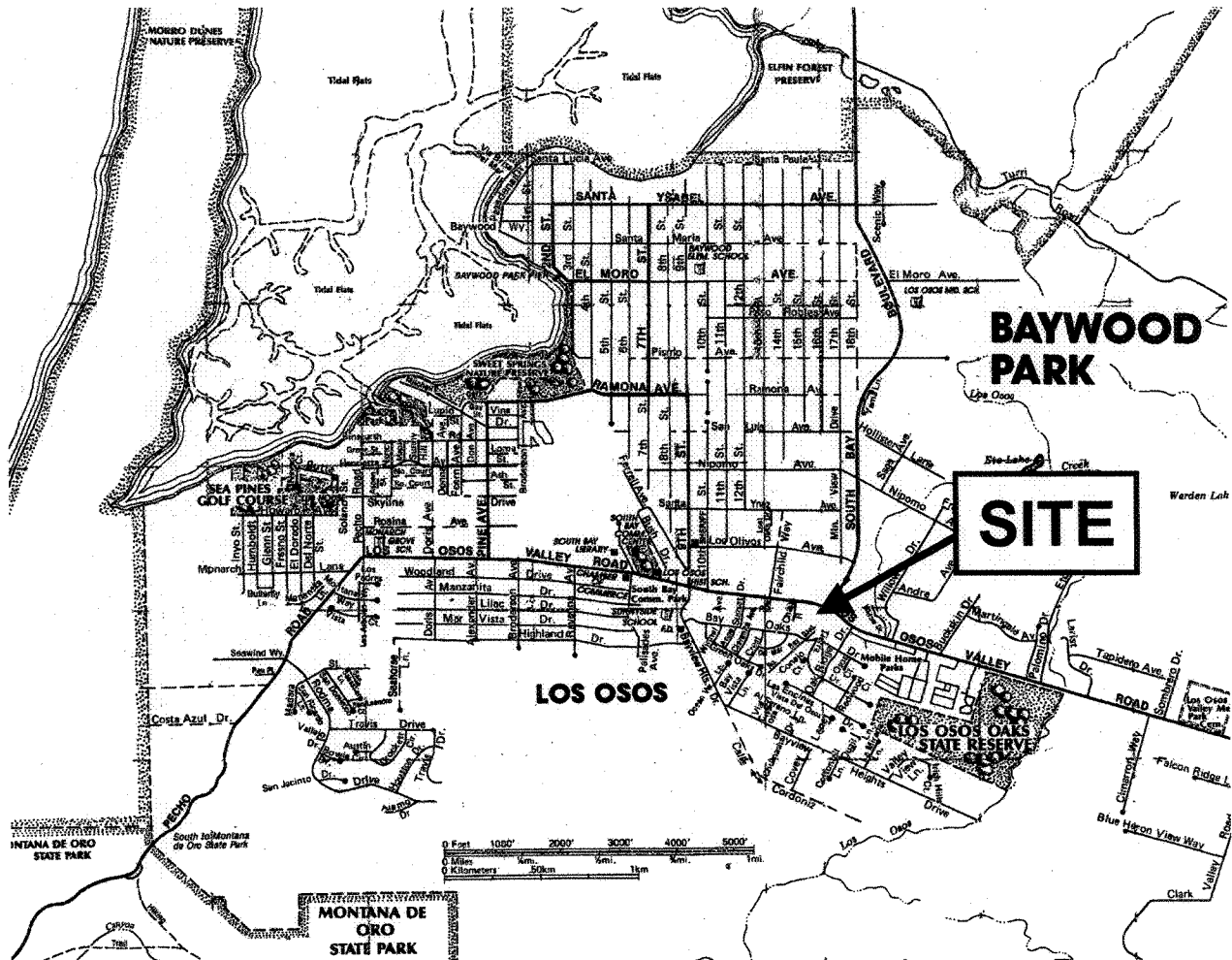
3. No commercial, religious, or political messages shall be conveyed on the reader board sign.

Archaeology

4. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be evaluated by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigations as required by the Environmental Coordinator.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Miscellaneous

5. **Prior to operation of the facilities**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
6. All conditions of approval of this Development Plan Permit are the responsibility of both the applicant and the property owner and shall be strictly adhered to completely, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If upon investigation it is determined that violation(s) of conditions of approval have occurred, or are occurring, the Planning Director, or his designee, will have the discretion to bring the matter back to the Planning Commission at the earliest possible time for a Permit Revocation Hearing pursuant to Section 23.74.160 of the County Land Use Ordinance.
7. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').



PROJECT

**Rotary Club of Los Osos
Bonaire Investments**

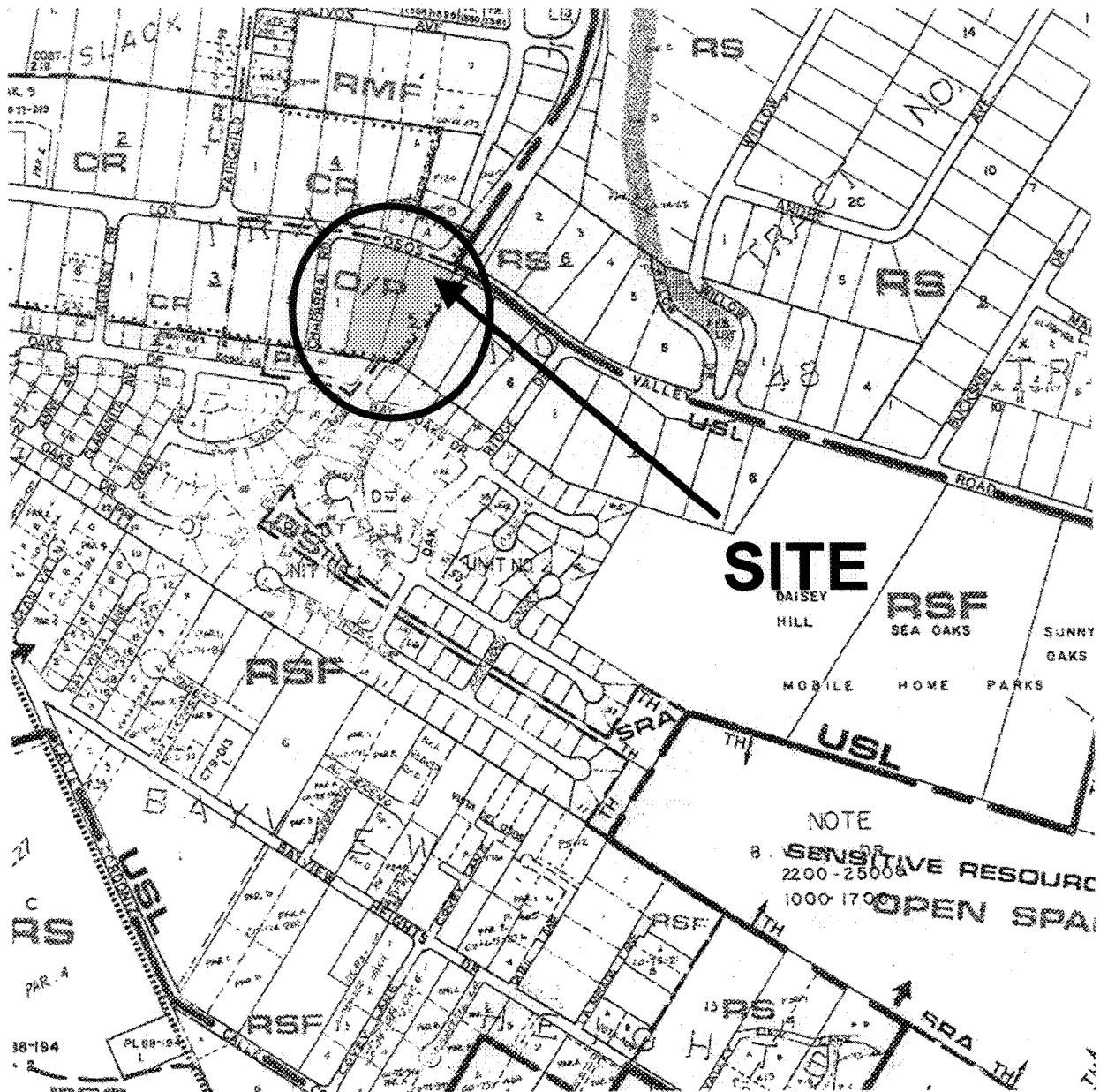


EXHIBIT

**Development Plan DRC2004-00148
Vicinity Map**

4-8

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

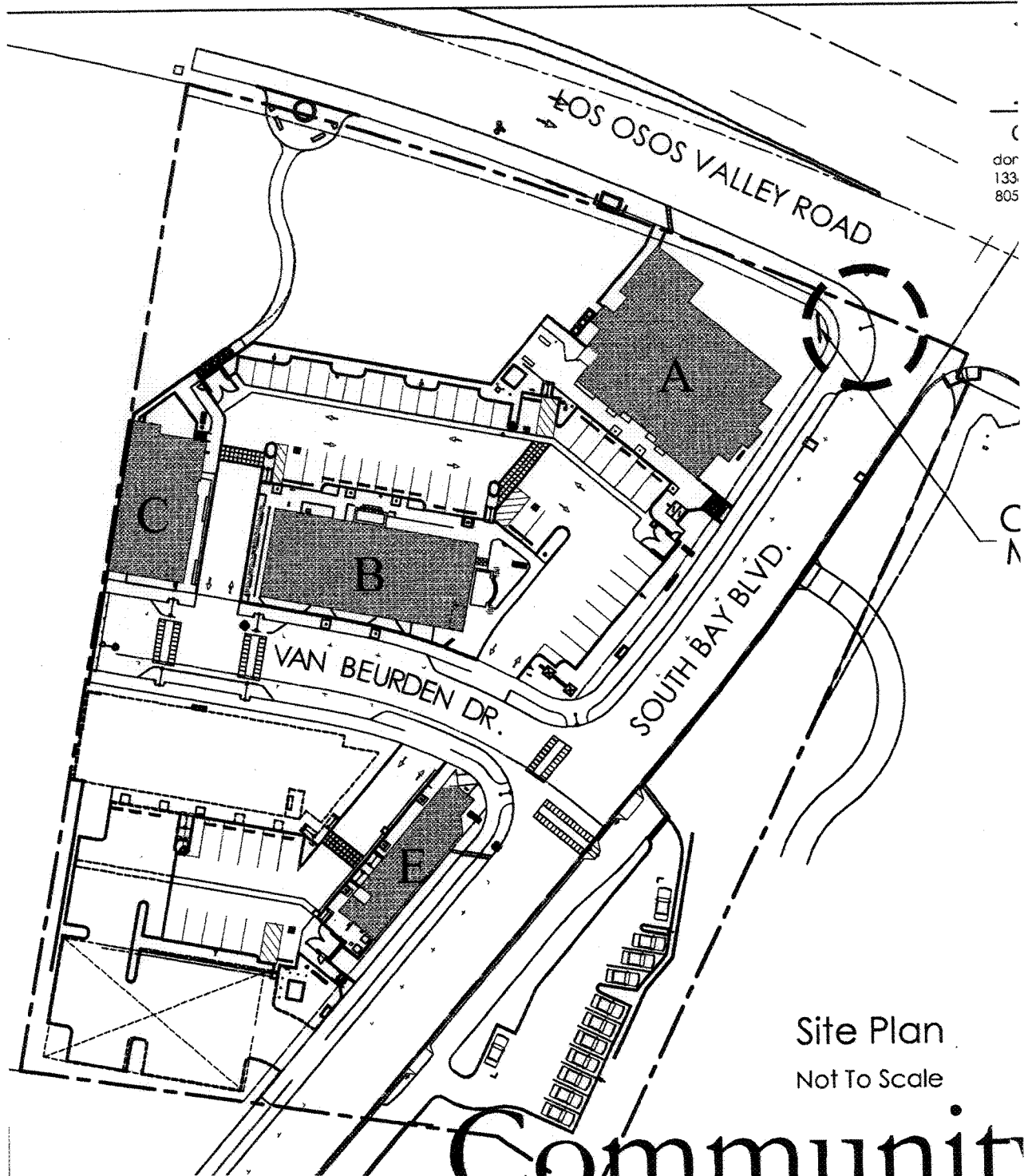
Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

Development Plan DRC2004-00148
Land Use Category Map

4-9



PROJECT

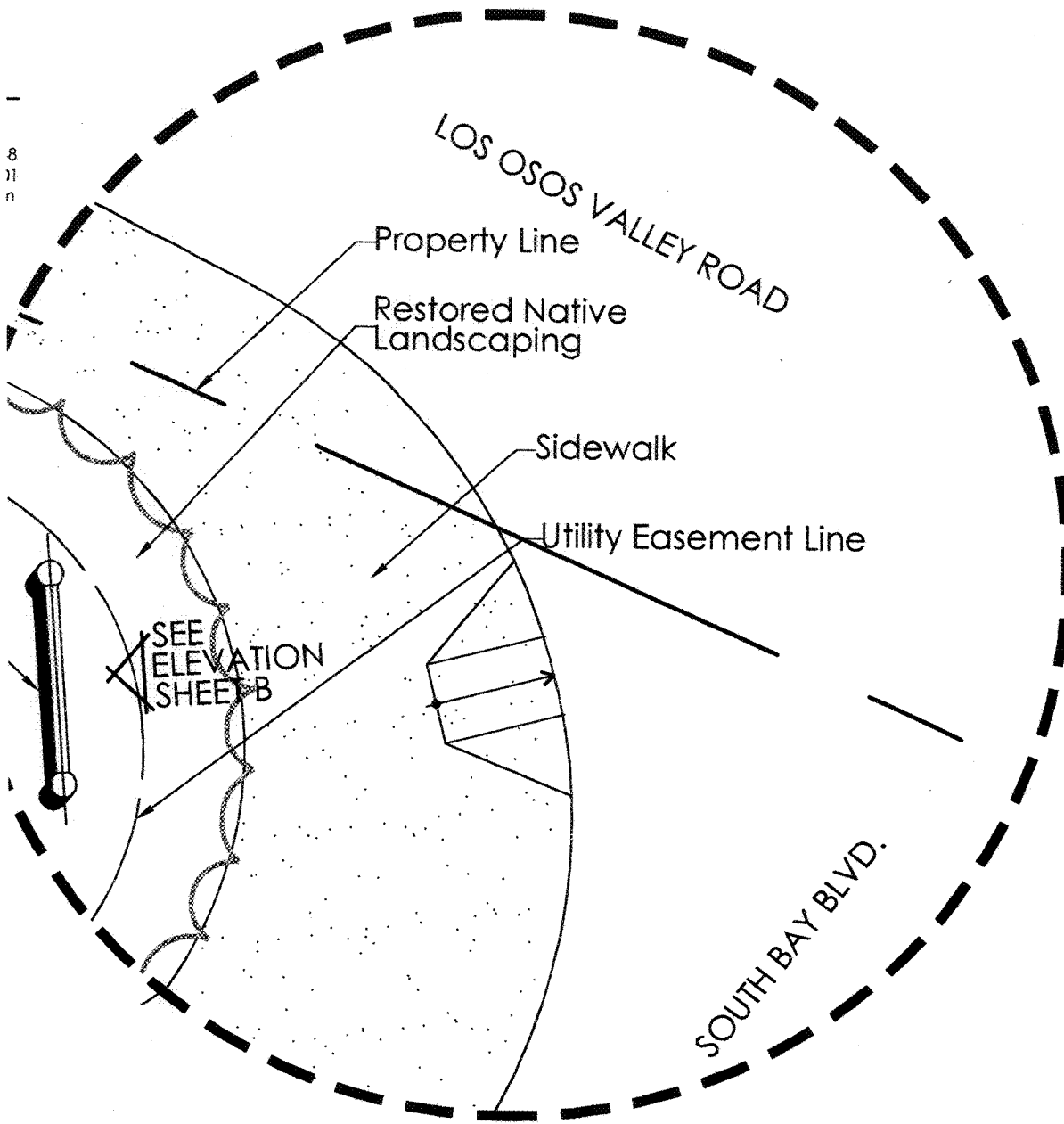
Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

Development Plan DRC2004-00148
Sign location

4-10



Detail Plan
Scale 1/8" = 1'



PROJECT

Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

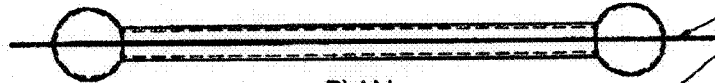
Development Plan DRC2004-00148
Detail of Sign location

4-11

DLA

architecture

david lee denny architect c14448
1334 elio street san luis obispo, ca 93401
805.593.0130 dladarchitecture.com

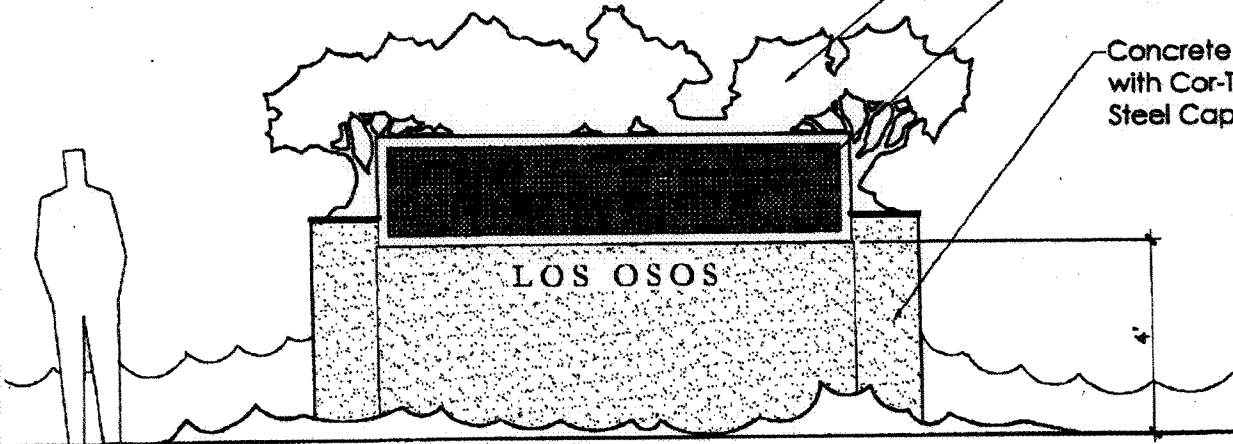


PLAN

Cor-Ten Steel
Cutout

Rotary Club
Matrix Display
Reader Board

Concrete Base
with Cor-Ten
Steel Cap



Community Monument Sign

PROJECT

Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

Development Plan DRC2004-00148
Sign

4-12



At the proposed site

PROJECT

Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

Development Plan DRC2004-00148
December 17, 2004 Demonstration

4-13



At the proposed site

PROJECT

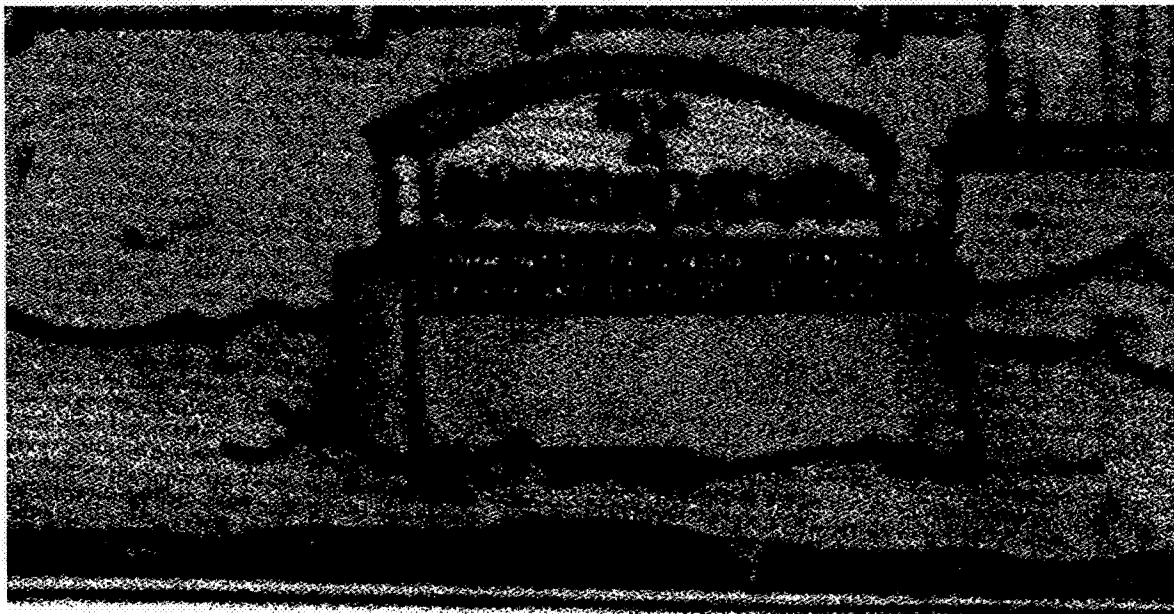
Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

Development Plan DRC2004-00148
December 17, 2004 Demonstration

4-14



PROJECT

Rotary Club of Los Osos
Bonaire Investments

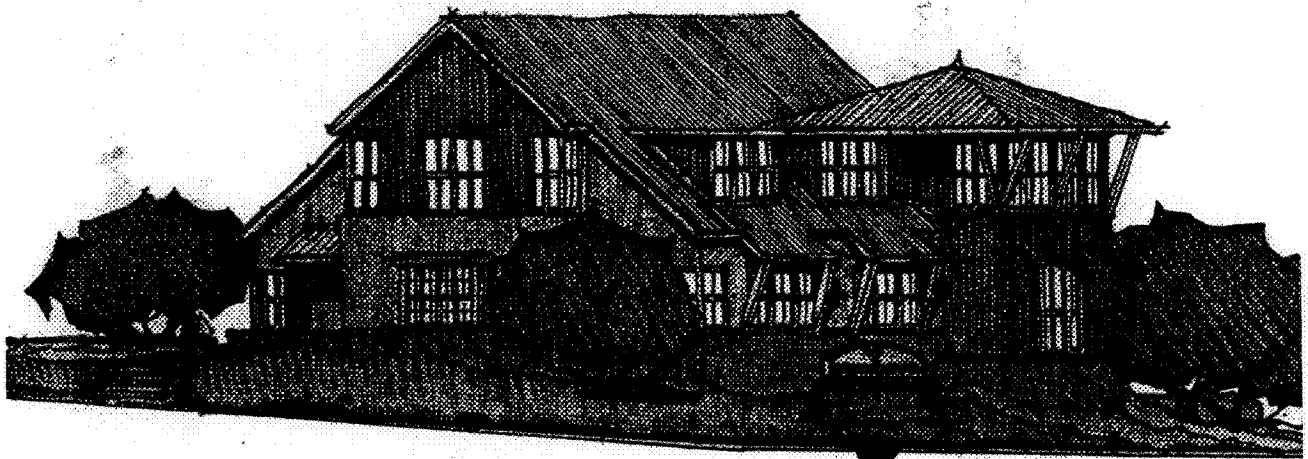


EXHIBIT

Development Plan DRC2004-00148

Original Design

4-15



**Original
design of sign**

PROJECT

**Rotary Club of Los Osos
Bonaire Investments**

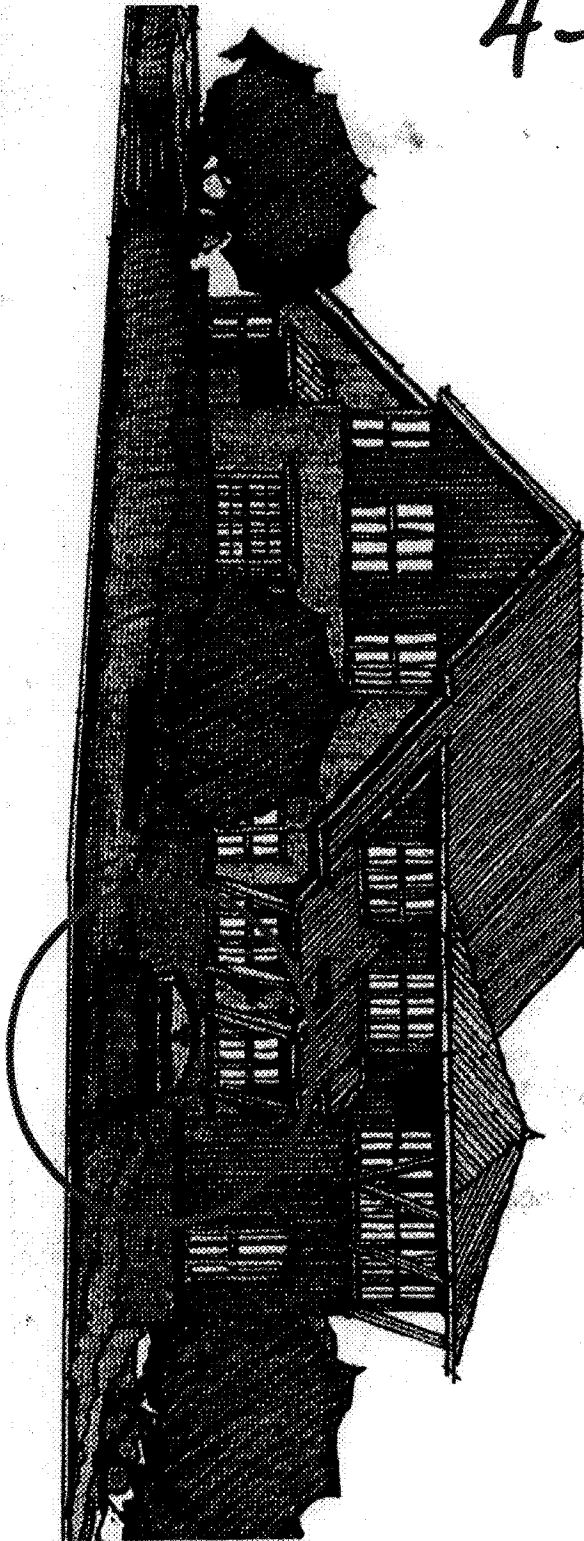


EXHIBIT

Development Plan DRC2004-00148

Original Design

4-16



PROJECT

Rotary Club of Los Osos
Bonaire Investments



EXHIBIT

Development Plan DRC2004-00148

Original Design



4-17 SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

JAN 20 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 1/20/05
FROM PW

VAN BEURDEN

FROM
UO

Coastal Team
(Please direct response to the above)

DRC 2004-00148

Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: CUP/Dev. Plan to modify sign standards.
Oak Grove professional Center → community monument
sign. Corner of LOV Rd. & S. Bay Blvd., Los Osos. 3.23 Acres.
APN: 074-314-010.

Return this letter with your comments attached no later than: 2/5/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - AS LONG AS IT IS OUTSIDE THE ROAD R/W WE
HAVE NO CONCERNS WITH THE PROJECT.

01 Feb 2005
Date

GORDWIN
Name

5252
Phone

PROJECT REFERRAL
COMMUNITY ADVISORY COUNCIL

RECEIVED

Date Referred: 1/27/04

4-18

FEB 7 2005

Project Planner/Manager: Kerry Brown

SLO CO PLANNING & BLDG.

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

PROJECT INFORMATION

Rotary Club/

File Number: DRC 2004-00148

Applicant: Leon VanBeurden

Request: Modify sign standards in Title 23
to allow a illuminated community reader
board sign

STAFF COMMENTS

C.A.C. COMMENTS *The attached checklist is to help you with your review. You may choose to complete the checklist as your only response to this referral.*

- ☐ We have received the referral on the above-referenced project and have no comments.
☒ We have received the referral on the above-referenced project and have the following comments:

WE APPROVE SIGN HOWEVER LOCAL WOULD LIKE TO
SEE THE BASE STRUCTURE BUILT TO CONFORM WITH
THE ORIGINAL SIMPLE DESIGN

Please let us know the following:

- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the final action for the project? |

Date Referral Action Taken By Community Advisory Council: JAN 27, 2005



4-19

Date: February 25, 2005

To: Kerry Brown
Nancy Orton
SLO Dept. of Planning

From: Gary Dove
Rotary Club of Los Osos

Subject : DRC 2004-00148
Reader Board Sign

SLO CNTY
PLANNING/BUILDING
DEPT
2005 FEB 25 PM 12:38

Dear Kerry;

1. Here are two photos of our sign demo on Dec 19, 2004. The sign is placed exactly where the builder and architect suggested it be placed. It is four feet above ground and may be lowered slightly to make it fit in with the landscaping. It is important that it is eye level with motorist.

2. LOCAC was shown the original brochure for the Oak Grove Center as well as the latest drawing by the architect Don Avery. Several of the LOCAC members preferred the original drawing with the curved top sign above our sign as compared to the oak tree cutout as shown on the Monument sign drawing.. This was not a requirement for LOCAC approval but a preference. The Rotary Club does not care about the design of the base structure nor the Oak Grove sign above our reader board electronic sign. Rotary club feels that is the business of the owner and architect.

3. LOCAC did not participate in the original design. The only change suggested was the oak tree cutout explained above. The Oak Grove project including the community sign came before LOCAC and was approved. Details of this sign was also presented to LOCAC by me on January 24, 2001.

Sincerely;
Gary Dove

rotsi225.wpd

3563 Sueldo Street, Suite E, San Luis Obispo, CA 93401
+1 805 541 8292 ♦ fax +1 805 541 8293
dove@dovesystems.com ♦ www.dovesystems.com



4-20
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

December 8, 2004

Donald Lee Avery
DLA Architecture
1336 Ella Street
San Luis Obispo, CA 93401

Dear Donald Avery:

In response to your request for review of a community reader board sign at the southwest corner of Los Osos Valley Road and South Bay Blvd. in Los Osos, the Planning Director has determined that the project is not consistent with the Coastal Zone Land Use Ordinance (Title 23) because reader board signs (with any moving, rotating, flashing, or otherwise animated light or component) are prohibited signs per Section 23.04.306(c)4 of Title 23.

This is a Planning Director's Determination, which may be appealed to the Planning Commission within 14 days of the date of this letter. The appeal must be received before the close of business on December 22, 2004 accompanied by the appeal fee estimated to be \$564.00

Sincerely,

Kerry Brown
Coastal Planning and Permitting



4-21
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

December 22, 2004

Gary Dove
Rotary Club of Los Osos
PO Box 6670
Los Osos, CA 93412

Dear Gary Dove:

Thank you for the opportunity to see your proposed reader board sign (on December 19, 2005 at the southwest corner of Los Osos Valley Road and South Bay Blvd. in Los Osos). Based on the demonstration, the Planning Director has determined that the sign may be allowed subject to development plan approval. A development plan is required to modify the sign standards of the Coastal Zone Land Use Ordinance (Title 23) to allow illuminated community reader boards. To proceed, please submit a development plan application with required fees and plans to the Planning and Building Department.

This is a Planning Director's Determination, which may be appealed to the Planning Commission within 14 days of the date of this letter. The appeal must be received before the close of business on January 5, 2005 accompanied by the appeal fee estimated to be \$564.00

Sincerely,

Kerry Brown
Coastal Planning and Permitting